

FILED

February 16, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**United States Court of Appeals
for the Fifth Circuit**

BY: klw
DEPUTY

No. 24-50018

JANE DOE,

Plaintiff—Appellant,

versus

MARK A. GIPSON,

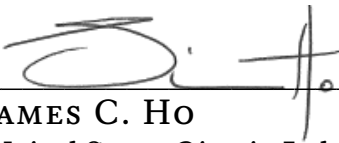
Defendant—Appellee.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:23-CV-463 RP

ORDER:

IT IS ORDERED that Appellant's unopposed motion to view and obtain sealed documents is GRANTED.

IT IS FURTHER ORDERED that Appellant's unopposed motion to supplement the record to include the transcript of proceedings held on June 7, 2023, is GRANTED.



JAMES C. HO
United States Circuit Judge

Case No. 21-50018

**THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

JANE DOE,

Plaintiff-Appellant,

v.

MARK A. GIPSON,

Defendant-Appellee.

On appeal from the United States District Court, Western District of Texas,
Austin Division, No. 1:23-cv-00463-RP, U.S. District Judge Robert Pitman

**APPELLANT’S UNOPPOSED MOTION TO ACCESS RECORD
DOCUMENTS SEALED BY THE DISTRICT COURT, AND TO AMEND
THE RECORD TO FURTHER INCLUDE THE JUNE 7, 2023 HEARING
TRANSCRIPT**

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Attorneys for Jane Doe, Plaintiff-Appellant

NOW INTO COURT, through undersigned counsel, Plaintiff-Appellant, Jane Doe (“Appellant”), respectfully moves this Honorable Court for access to all record documents that were filed under seal in the District Court, including those documents bearing District Court Record Numbers: 3, 10, 11, 12, 15, 27, 28, 29, 30, 45, 46, 47, 48, 49, 53, 55, 57, 59, 80, 82, 85, 86, 91, and 92. Appellant further respectfully moves to amend the Record on Appeal to include the transcript of proceeding held on June 7, 2023.

Consistent with the Court’s instructions, Appellant has reviewed the Record on Appeal and confirmed that the record is incomplete without the addition of documents filed under seal in the underlying matter. *See* January 30, 2024 Letter from Lyle W. Cayce, Clerk of Court, Doc No. 12, at 2. Specifically, because the Causes of Action in the underlying investigation involve the non-consensual sharing of Appellant’s nude images without her consent, the majority of the filings in the underlying proceedings were filed under seal due to the sensitive nature of the materials. Thus, to ensure that the parties and the Court has access to a complete record on appeal, Appellant requests access to all documents that were sealed by the District Court. Appellant further respectfully requests that the Record on Appeal be amended to include the transcript of proceeding held on June 7, 2023.

Pursuant to 5th Cir. R. 27.4, counsel for Appellee, Mark McAdoo, was contacted by email regarding Appellee's position on this motion. Mr. McAdoo indicated that Appellee does not oppose the relief requested by this motion.

WHEREFORE, Appellant prays that the Court grant it access to all record documents that were filed under seal in the District Court, including those documents bearing District Court Record Numbers: 3, 10, 11, 12, 15, 27, 28, 29, 30, 45, 46, 47, 48, 49, 53, 55, 57, 59, 80, 82, 85, 86, 91, and 92. Appellant further respectfully requests that the Record on Appeal be amended to include the transcript of proceeding held on June 7, 2023.

Dated: February 13, 2024

Respectfully Submitted,

/s/ Bradley A. Hyde

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ATTORNEYS FOR Plaintiff
JANE DOE

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of February, 2024, a true and correct copy of the foregoing document was served by electronic service pursuant to the Federal Rules of Appellate Procedure with the Court's CM/ECF electronic filing system on the following counsel:

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Denver, CO 80222

Counsel for Defendant-Appellee

/s/ Bradley A. Hyde
Bradley A. Hyde

CERTIFICATE OF COMPLIANCE

1. This motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because and contains 338 words, excluding the parts of the motion exempted by Fed. R. App. P. 32(f).

2. This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because this motion has been prepared in a proportionally spaced typeface using Microsoft Word 365 in 14-point, Times New Roman type style.

Dated: February 13, 2024

/s/ Bradley A. Hyde
Bradley A. Hyde

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

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600 S. MAESTRI PLACE,
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NEW ORLEANS, LA 70130

February 16, 2024

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 24-50018 Doe v. Gipson
 USDC No. 1:23-CV-463

Enclosed is an order entered in this case.

The court has granted the motion to supplement or correct the record in this case. The originating court is requested to add the attached motion provide us with a supplemental electronic record consisting of the documents outlined in the attached motion. Counsel is reminded that any citations to these documents must cite to the supplemental electronic record.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Roeshawn Johnson, Deputy Clerk
504-310-7998

Mr. Philip Devlin
Mr. Bradley A. Hyde
Mr. Mark McAdoo
Mr. S. Giri Pathmanaban